

# Substantial Conformance Review



# Review?

**Project changes that occur between conceptual approval (discretionary) and final construction approval (ministerial).**

**\*\*\* (Potentially 3-5 years may elapse between discretionary and ministerial approval)**

# What triggers the need for S.C.R.?



- ❑ Encountering unknown field conditions;
- ❑ Change in market conditions;
- ❑ Request from potential buyer;
- ❑ Change in project ownership;
- ❑ Unexpected project construction costs;
- ❑ To accommodate new tenants;
- ❑ To make improvements;

# How an S.C.R. is Processed



- Process-One outside the Coastal Zone;
- Process-Two within the Coastal Zone.

# Process-One vs. Process-Two

## ☐ Process-One:

1. Client submits SCR application:
2. SCR Application to CPG as courtesy.
3. City staff reviews & renders final decision.

## ☐ Process-Two:

1. Client submits SCR application + Public Notice package.
2. SCR Application to CPG for review & formal action.
3. Public Notice posted on site and sent to 300-foot radius.
4. Client presents to CPG for action (meets once/month).
5. City staff reviews & renders decision.
6. Public notice of determination sent to interested parties.
7. Public has 12-days to file appeal to Planning Commission.
8. Planning Commission hearing scheduled about 60-days after appeal filed.
9. Staff prepares Public Notice and Planning Commission Report. Public notice (10 business days) mailed to 300-foot radius.
10. Planning Commission makes final decision

# **C.P.C. Recommendation:**

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- Amend the Municipal Code to elevate all S.C.R.'s to a Process-Two decision;**
- Publish specific criteria for determining if project modifications substantially conform.**

# Municipal Code Section 126.0112

A proposed minor modification to an approved *development permit* may be submitted to the City Manager to determine if the revision is in *substantial conformance* with the approved permit. If the revision is determined to be in *substantial conformance* with the approved permit, the revision shall not require an amendment to the *development permit*. ~~Within the Coastal Zone, a~~Any substantial conformance determination shall be reached through a Process Two review.

# City Staff Recommendation

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- ❑ **Make no changes to the current S.C.R Process;**
- ❑ **Utilize guidelines within Bulletin 500 to assist in determining Substantial Conformance.**



# **Technical Advisory Committee Recommendation**

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- ❑ Same as Staff recommendation;**
- ❑ One minor modification to the S.C.R. review guidelines.**

# **San Diego Chamber of Commerce: Housing Committee Recommendation**



- ❑ Same as Staff recommendation;**
- ❑ One minor modification to the S.C.R. review guidelines.**

# S.C.R. Review Guidelines – IB 500



- ❑ No significant change in land use.
- ❑ No increase in density/intensity.
- ❑ No affect on the environment.
- ❑ No changes inconsistent with permit conditions.
- ❑ No changes inconsistent with General Plan, Community Plan, or Municipal Code.
- ❑ Architectural changes should result in a “better than or equal to” quality of project.
- ❑ No changes inconsistent with those significant issues addressed during review and hearing.

# City Staff Rationale




- The current SCR process is in good health, and over the past 6-7 years has proven to be both effective and efficient.
- Elevating SCR to a Process 2 will unnecessarily add costs and processing time.
- Implementation of the SCR review guidelines will enhance the process by specifying, for all stakeholders, how SCR's will be reviewed and approved.

# City Staff Recommendation



- ❑ **Make no changes to the current S.C.R Process;**
- ❑ **Utilize guidelines within Bulletin 500 to assist in determining Substantial Conformance.**

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- **Subsequent hidden slides include additional Information/data intended to address potential questions.**

# Typical S.C.R. Applications

- 26%: Development within individual lots implementing previously approved Master Plan or Master Permit.
- 23%: Telecom antennae replacement.
- 10%: Minor modifications to single-family homes.
- 9%: Adding signs or modifying sign programs.
- 7%: Minor modifications to multi-family projects.
- 6%: Parking and/or circulation changes.
- 6%: Minor changes to schools and college campuses.
- 5%: Implementing sewer replacement per PEIR.
- 3%: Minor modifications or replacement of landscaping

# Description (from previous slide) of typical S.C.R. Applications

- Master Plan/Permit: Lots within technology parks, shopping centers, office/business/industrial parks, planned communities.
- Telecom: Replacing similarly sized antennae.
- SFR: Architecture, additions, decks, reductions, etc.
- Signs: Adding/changing monument signs.
- MFR: Reduce units, install gates, add elevator, sale to rental.
- Parking: Re-striping, driveways, shared-parking.
- Schools: Adding classrooms, college master plans.
- Sewer: Implementing City's Sewer Replacement Program.
- Landscaping: Minor modifications or replacement of landscaping